

Minutes of the November 16, 2000 meeting
Irvine Ranch Water District
15600 Sand Canyon Avenue
Irvine

1. Chair Withers called the meeting to order at 9:10 a.m.

Board Members Present

Board Members Absent

John Withers, Chair
Melody Henriques, Vice-Chair
Rodger Siems
Carole Beswick
Jose Solorio
Irv Pickler
Seymour Van Gundy

Staff Members Present

Gerard J. Thibeault, Executive Officer
Kurt V. Berchtold, Assistant Executive Officer
Robert L. Holub, Supervising Water Resource Control Engineer
Joanne E. Schneider, Environmental Program Manager
Barbara Laffoon, Secretary
Hope A. Smythe, Chief, Basin Planning (Inland Waters)
Mark E. Smythe, Chief, Storm Water (Coastal Waters)
Cindy Li, Associate Engineering Geologist
Gary D. Stewart, Chief, Regulations

Legal Counsel

Ted Cobb

Public Attendance

Grace Pina Garrett, Caltrans
Clarence O'Hara, Caltrans
Dave Bhalla, Caltrans
Hector Salas, Caltrans
Al Willinger, Crystal Cove Residents Association
Terry Tao, Atkinson Anderson (for Laguna Beach Unified School District)
William A. Evans, Caltrans
Pat Kilroy, City of Lake Elsinore
Donald H. Ito, Dept. of Parks and Recreation, Orange Coast District
Theresa Daem, Laguna Beach Unified School District
Connie Belda, Laguna Beach Unified School District
Carrie Bluth, CCC
Kim Lewand, Orange County CoastKeeper
Alex Coolman, Daily Pilot
Chandra Mantecon, Orange County Sanitation District
Mory Mohtashami, Caltrans
Mahmoud Fawaz, Caltrans
Jerry King, Psomas
Joan Oppenheimer, Montgomery Watson

Jeremy Bruso, Atkinson, Andelson (for Laguna Beach Unified School District)

2. Public Forum

There were no comments..

3. Lake Elsinore Total Maximum Daily Load (TMDL) Nutrient Problem Statement

Cindy Li presented a report providing an overview of the Lake Elsinore watershed, a history of the algal bloom and fish kill problems of Lake Elsinore, a summary of the lake eutrophication processes, and past studies conducted on Lake Elsinore. The report also summarized proposed numeric targets for the Lake Elsinore nutrient TMDL, as well as activities to be undertaken by Regional Board staff and other agencies to develop the nutrient TMDL.

The purpose of the report was to provide Board and public with background information. Staff did not propose that the Board take any formal action at this time.

Pat Kilroy, Lake Manager for the City of Lake Elsinore, noted that restoration of the Lake is of interest to more than just the City of Lake Elsinore

4. Cease and Desist Order Requiring Compliance with Ocean Plan Prohibition of Waste Discharges to Areas of Special Biological Significance (ASBS).

Information pertaining to this item is contained in a verbatim transcript.

Executive Officer Thibeault advised the Board that there was an errata sheet for this item.

Mark Smythe, Chief of Storm Water (Coastal Waters) presented the background of the designation of the Irvine Coast ASBS and the circumstances relevant to the Board's consideration of a Cease and Desist Order(CDO).

Speakers representing The Irvine Company were Paul Singarella, Latham and Watkins, who indicated concern that the CDO implies the coast is being harmed by The Irvine Company. In their opinion, this is not the case; rather, The Irvine Company is actively monitoring all discharges. Mr. Singarella presented Jerry King, Psomas, Dr. Douglas Inman, Scripps Institute ocean hydrologist, and Dr. Scott Jenkins, Scripps Institute, and Mike McGovern, Hunsaker and Associates. Written affidavits were also presented to the Board.

Paul Donahue, Staff Counsel, California State Parks and Recreation, and Mike Tope represented the State Parks and Recreation Department

Mr. William Evans, Staff Counsel for Caltrans, commented that Caltrans was in agreement with Mr. Singarella's comments.

Presentations in support of the adoption of the CDO were made by Laura Davick, Alliance to Rescue Crystal Cove, Garry Brown and Kim Lewand, Orange County CoastKeeper, and Al Willinger, Crystal Cove Residents Association.

Action: It was moved by Board Member Van Gundy, seconded by Board Member Henriques, and unanimously carried to adopt Cease and Desist Order No. 00-83 as amended.

Chair Withers requested the roll call. All seven Board Members responded aye.

5. Adjournment

Chair Withers adjourned the meeting to the Regular Board Meeting of November 17, 2000 at the City of Huntington Beach.

The meeting was adjourned at 12:06 p.m.

Respectfully submitted:

GERARD J. THIBEAULT
Executive Officer

/bjl